

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

December 8 2008

DIVISION ONE

B202401 People (Not for Publication)
v.
Victor Hernandez et al.

That portion of the judgment imposing a three-year enhancement pursuant to section 186.22, subdivision (b)(1) as to appellant Victor Hernandez is reversed. In all other respects the judgment is affirmed.

Weisberg, J. (Assigned)

We concur: Mallano, P.J.
 Rothschild, J.

B206590 Los Angeles County, D.C F.S. (Not for Publication)
v.
N.S.

The judgment is affirmed.

Weisberg, J. (Assigned)

We concur: Mallano, P.J.
 Rothschild, J.

December 8, 2008 (Continued)

DIVISION ONE (continued)

B201031 Nillo (Not for Publication)
v.
Nillo

The judgment of the trial court is affirmed.

Weisberg, J. (Assigned)

I concur: Rothschild, J.
I dissent: Mallano, P.J. (Opinion)

B202085 Larner (Certified for Publication)
v.
Los Angeles Doctors Hospital Associates, L.P.

The appeal is dismissed as moot. Each party is to bear her/its own costs of appeal.

Weisberg, J. (Assigned)

We concur: Mallano, P.J.
 Rothschild, J.

B205225 People
v.
C.G.

Filed order denying petition for rehearing.

December 8, 2008 (Continued)

DIVISION TWO

B209033 People (Not for Publication)

v.

Dunlap

The Court:

The judgment is affirmed.

Boren, P.J., Doi Todd, J., Ashmann-Gerst, J.

B198168 People (Not for Publication)

 \mathbf{V}_i

Wilson

The abstract of judgment is ordered modified to strike the 10-year enhancement imposed pursuant to section 186.22, subdivision (b)(1)(C). The trial court is ordered to send a certified copy of the corrected abstract of judgment to the Department of Corrections. In all other respects, the judgment is affirmed.

Boren, P.J.

We concur: Ashmann-Gerst, J.
Chavez, J.

B194141 People

V.

Hassan

Filed order certifying opinion for publication.

DIVISION FIVE

Court convened at 9:00 a.m.

Present: Turner, P.J., Armstrong, J., Mosk, J. and J. Belcher, Deputy Clerk.

DIVISION FIVE (continued)

Each of the following:

B207338 DCFS v. L.C.
B206122 Peo v. Sanchez
B203500 Peo v. Foster
B202940 Peo v. Wallace

Argument waived, cause submitted.

B204937 Bari Nejadpour
 v.
 Bruce Fink

Merits:
Argued by Evelyn Abasi for appellant and by Michael Franco for
respondent. Cause submitted.

B202029 Frank Lima
 v.
 City of Los Angeles

Merits:
Argued by Paul Winnemore, deputy city attorney for appellant and by
Douglas Benedon for respondent. Cause submitted.

Argument waived, cause submitted.

B201336 Susana Ontiveros
 v.
 24 Hour Fitness Corp. et al.,

Merits:
Argued by Jack Nick for respondents. Appellant waived argument. Cause
submitted.

DIVISION FIVE (continued)

B203217 People
 v.
 Luis Romero et al

Merits:
Argued by Andrew Flier for appellant Hector Romero.and by Mary Sanchez, deputy attorney general, for respondent. Counsel for Luis Romero waived argument. Cause submitted.

B200523 Belinda Bickelman
 v.
 Assis Sinskey Eye Institute

Merits:
Argued by Jamie Schloss for appellant and by Terry Anastassiou for respondent. Cause submitted.

B203390 Adnan Reguieg et al
 v.
 Hal Sears et al

Merits:
Argued by Steven Kerekes for appellants and by Steven Revitz for respondents. Cause submitted.

B201952 Dana Bruns
 v.
 E-Commerce Exchange, et al

Merits:
Argued by Keven Tripi for appellant and by Max Stern and Robert Wright for respondents. Cause submitted.

Court recessed.

DIVISION FIVE (continued)

Court reconvened at 11:44 a.m.

Present: Turner, P.J., Mosk, J., Kriegler, J. and D. Nolan and J. Belcher, Deputy Clerks.

B209931 California Physicians' Service etc.,
 v.
 Superior Court, Los Angeles County
 (Richard White, r.p.i.)

Appearances:

Brad Seiling for petitioner. No appearance for real party in interest.

Argument waived, cause submitted.

B202289 People
 v.
 Javier Castillo

Merits:

Argued by Rudy Kraft for appellant and by Chung L. Mar, deputy attorney general for respondent. The parties are to file supplemental letter briefs by December 18, 2008 at 4:30p.m. Submission is deferred until December 18, 2008.

B205731 Ken Cotton
 v.
 Expo Power Systems, Inc. et al.,

Merits:

Argued by Frank E. Meredith, Jr. for appellants and by Craig M. Fields for respondent. Cause submitted.

B201220 C.R.
 v.
 Tenet Healthcare Corp. et al.,

Merits:

Argued by Maryann P. Gallagher for appellant and by Susan Marcella for respondents. Cause submitted.

December 8, 2008 (Continued)

DIVISION FIVE (continued)

Court recessed.

Court reconvened at 1:00 p.m.

Present: Turner, P.J., Mosk, J., Dunning, J. (Assigned) and J. Belcher, Deputy Clerk.

B204765 Michelle Dietz
 v.
 Healthmarkets Lead Marketing Group

Merits:

Argued by Anthony Stuart for appellant and by Jeffrey Ochrach, Fred Puglisi, Kimberly Thigpen, Robert Dell Angelo and Alfredo Jarrin for respondents. Cause submitted.

Court recessed.

Court reconvened at 1:30 p.m.

Present: Turner, P.J., Mosk, J., Kriegler, J. and J. Belcher, Deputy Clerk.

B201141 The People
 v.
 Iisaa Hakimbey

Merits:

Argued by Melissa Kim for appellant and by Sonya Roth, deputy attorney general, for respondents. Cause submitted.

B206218 Betty Brown
 v.
 Christopher Nickolopoulos

Merits:

Argued by for appellant and by for respondents. Cause submitted.

Court adjourned.

December 8, 2008 (Continued)

DIVISION SIX

B205903 Jennifer C. (Certified for Publication)

v.

Los Angeles Unified School Dist.

The judgment is reversed. Appellant shall recover her costs on appeal.

Yegan, J.

I concur: Gilbert, P.J.

I concur in the result only: Coffee, J.

DIVISION EIGHT

B206062 Moulton Logistics Management, Inc., (Not for Publication)

V.

Greenhouse International, LLC

The order denying appellant's petition to compel arbitration is reversed. The cause is remanded to the trial court with directions to enter a new order granting the petition and ordering arbitration of respondent's claims, except for its claims for injunctive relief. Appellant is awarded its costs on appeal.

Bigelow, J.

We concur: Rubin, Acting P.J.

Flier, J.

B187947 People (Not for Publication)

V.

Raymond Martinez

The judgment is affirmed.

Flier, J.

I concur: Rubin, Acting P.J.

December 8, 2008 (Continued)

DIVISION EIGHT (continued)

B207513 Jenny Wang (Not for Publication)
v.
S.C.L.A.
Paul S. Zuckerman, et al..

The petition for writ of mandate is granted. The respondent court is directed to vacate its March 21, 2008 order granting the motion of real parties in interest to compel arbitration of petitioner's legal malpractice action, and to thereafter enter a new and different order denying the motion. Petitioner is entitled to recover her costs in this writ proceeding. (Cal. Rules of Court, rule 8.490(m)(l)(A).)

Bigelow, J.

We concur: Rubin, Acting P.J.
Flier, J.

B201363 People
v.
Israel Williamson II

Filed order denying petition for rehearing.

B196516 People
v.
Wallace Connors

Filed order modifying opinion. (No change in the judgment)